

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS

2012 SEP 21 PM 4 06

**2012 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM**

THOMAS J. PATE
CLERK OF THE BOARD
OF SUPERVISORS

Contact Person: Lisa R. Soto Telephone Number: (760) 507-3158

Name of Agency: Vista Irrigation District

Mailing Address 1391 Engineer Street, Vista, CA 92081

This agency has reviewed its conflict of interest code and has determined that:

☒ **Amendments are necessary:** (Attach Amended Code)
(Check all that applies)

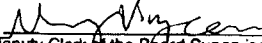
- ☒ Include new positions (including consultants) which must be designated
- ☐ Revise the titles of existing positions
- ☒ Delete titles of positions that have been abolished
- ☐ Delete positions that manage public investments
- ☐ Revise disclosure categories
- ☒ Other Revised footnote regarding consultants.

☐ **No amendments are necessary.** Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer:  Date: 9/19/2012

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than October 1, 2012 to:**

**Clerk of the Board of Supervisors
(Conflict of Interest Code)
1600 Pacific Highway, Room 402
San Diego, CA 92101**

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: <u>12/19/12</u>	Minute Order No. <u>20</u>
By: <u></u>	Date: <u>12/17/12</u>
Deputy Clerk of the Board Supervisors	



1391 Engineer Street • Vista, California 92081-8840
Phone: (760) 597-3100 • Fax: (760) 598-8757
www.vid-h2o.org

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS

2012 SEP 21 PM 4 05

THOMAS J. PASTUSZKA
CLERK OF THE BOARD
OF SUPERVISORS

Board of Directors

Richard L. Vásquez, *President*
Paul E. Dorey
Jo MacKenzie
Marty Miller
Howard S. Williams

Administrative Staff

Roy A. Coox
General Manager
Eldon L. Boone
Assistant General Manager / Treasurer
Lisa R. Soto
Board Secretary
Joel D. Kuperberg
General Counsel

September 19, 2012

Clerk of the Board of Supervisors
(Conflict of Interest Code)
1600 Pacific Highway, Room 402
San Diego, CA 92101

Re: Conflict of Interest Code – Local Government Agency Biennial Review

Via: Certified Mail 7008 1140 0004 8680 7808; Return receipt requested

Dear Mr. Pastuszka:

At its Board meeting on September 19, 2012, the Vista Irrigation District Board of Directors approved Resolution No. 12-31, adopting an amended conflict of interest code. A copy of Resolution No. 12-31 is enclosed.

The Board made the following amendments to the District's code:

1. Eliminated three positions: Facilities Manager, Information Systems Manager, and Operations Supervisor; and
2. Added five positions: Information Systems Supervisor, Water Distribution Supervisor, Engineering Inspector, Financial Analyst, and System Controls Supervisor; and two consulting types: Auditors and Actuaries, and Information Systems Consultants; and
3. Clarified the language in the footnote following the list of consultant types.

A strike-out version and a final copy of the District's Conflict of Interest Code are enclosed. We request that the amended Conflict of Interest Code be placed on the agenda for approval. If you have any questions, please contact me at (760) 597-3158.

Sincerely,

Lisa R. Soto
Secretary of the Board

Enclosures: 2010 Conflict of Interest Code Biennial Review Reply Form
Resolution 12-31
Final version of the revised Code
Redline/Strike-out version of revised Code

RESOLUTION NO. 12-31

RESOLUTION OF THE BOARD OF DIRECTORS OF
VISTA IRRIGATION DISTRICT
ADOPTING AN AMENDED CONFLICT OF INTEREST CODE

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Vista Irrigation District and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Board of Directors of the Vista Irrigation District adopted a Conflict of Interest Code (the "Code") which was amended on August 6, 2008, in compliance with Government Code Section 81000, et seq.; and

WHEREAS, subsequent changed circumstances with the Vista Irrigation District have made it advisable and necessary, pursuant to Sections 87306 and 87307 of the Act, to amend and update the District's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which would result in the Vista Irrigation District being restrained or prevented from acting in cases where provisions of the act may have been violated; and

WHEREAS, a public meeting was held upon the proposed amended Conflict of Interest Code at the regular meeting on September 19, 2012, at which all present were given an opportunity to be heard on the proposed amended Code.

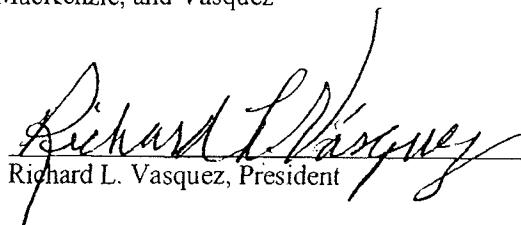
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Vista Irrigation District that the Board of Directors does hereby adopt the proposed amended Conflict of Interest Code, amended to eliminate three positions – Facilities Manager, Information Systems Manager, and Operations Supervisor; to add five positions: Information Systems Supervisor, Water Distribution Supervisor, Engineering Inspector, Financial Analyst, and System Controls Supervisor; and to add two consulting types: Auditors and Actuaries and Information Systems Consultants. The language following the list of consultant types was clarified. A copy of the revised code is attached hereto and shall be filed with the District Secretary and available for inspection to the public.

BE IT FURTHER RESOLVED that Resolution No. 10-31 adopting the Amended Conflict of Interest Code on August 4, 2010 is rescinded upon the adoption of said amended Code;

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said amended Code shall become effective 30 days after the Board of Supervisors approves the amended Code as submitted.

PASSED AND ADOPTED this 19th day of September 2012, by the following roll call vote:

AYES:	Directors Miller, Dorey, Williams, MacKenzie, and Vásquez
NOES:	None
ABSTAIN:	None
ABSENT:	None


Richard L. Vasquez, President

ATTEST: 

Lisa R. Soto, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

I, Lisa R. Soto, Secretary of the Board of Directors of Vista Irrigation District do hereby certify that I have compared the attached copy of Resolution No. 12-31 with the original resolution passed and adopted by the referenced Board of Directors at a regular adjourned meeting thereof, on the date and by the vote therein stated. The original resolution is now on file in the Official Resolution Book of the District, and this copy contains a full, true and correct transcript therefrom.

Witness my hand and the seal of the Vista Irrigation District.

Dated: September 19, 2012



Lisa R. Soto, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT



CONFLICT OF INTEREST CODE
(AMENDED September 19, 2012)

Vista Irrigation District
1391 Engineer Street
Vista, California 92081
(760) 597-3100

**CONFLICT OF INTEREST CODE
OF THE
VISTA IRRIGATION DISTRICT
COUNTY OF SAN DIEGO
(Amended September 19, 2012)**

The agency designated above hereby submits the following Conflict of Interest Code to the Board of Supervisors of the County of San Diego.

Dated: September 19, 2012

Lisa R. Soto, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT



Received on behalf of the Board of Supervisors of the County of San Diego.

Dated: _____

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

The following Conflict of Interest Code, having been submitted by the agency designated above, was approved by order of the Code Reviewing Body on _____.

Other action, if any:

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

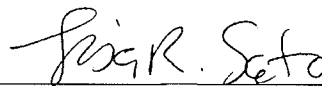
**CONFLICT OF INTEREST CODE
OF THE
VISTA IRRIGATION DISTRICT
(Amended September 19, 2012)**

The Political Reform Act of 1974 (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission (FPPC) has adopted a regulation (2 Cal. Code of Regs. Sec. 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, the regulation may be amended by the FPPC to conform to amendments in the Political Reform Act.

Therefore, the terms of 2 *California* Code of Regulations Section 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Vista Irrigation District.

All officials required to submit a statement of economic interests shall file their statements with the Secretary of the Vista Irrigation District as the District's Filing Officer. The Filing Officer shall make and retain a copy of all statements filed by members of the Board of Directors, Treasurer, Assistant Treasurer and the General Manager and forward the originals of these statements to the Clerk of the San Diego County Board of Supervisors. The Vista Irrigation District shall retain statements for all other designated employees. The Filing Officer will make all retained statements available for public inspection and reproduction (Gov. Code Section 81008).

Adopted by the Board of Directors of the Vista Irrigation District on the 19th day of September 2012.



Lisa R. Soto, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT

**CONFLICT OF INTEREST CODE
OF
VISTA IRRIGATION DISTRICT
(Amended September 19, 2012)**

APPENDIX

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District officials who manage public investments, as defined by 2 Cal. Code of Regs. §18701(b), are NOT subject to the District's Code, but are subject to disclosure requirements of the Act (Government Code Section 87200 et seq.). [Regs. 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are other District officials who manage public investments:

- Member of Board of Directors
- General Manager
- Assistant General Manager
- Treasurer
- Assistant Treasurer
- Finance Manager
- Financial Consultants

DESIGNATED POSITIONS
GOVERNED BY THE CONFLICT OF INTEREST CODE

The Treasurer, Assistant Treasurer, and all District officials who manage the investment of public funds are included in and governed by this Conflict of Interest Code only with respect to its disqualification provisions. For purposes of disclosure, the Treasurer, Assistant Treasurer, and all District officials who manage the investment of public funds are governed by the statutory conflict of interest provisions of Article 2 of Chapter 7 of the Political Reform Act of 1974 (Government Code Section 87200, et seq.)

The persons holding positions listed below are "designated employees" who are subject to the provisions of this Code. Each such designated employee is required to disclose interests only in those categories set forth, which are identified by the numbers following his or her title.

Disclosure Categories

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property that the designated employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in, and sources of income from, all business entities that do business or own real property within the jurisdiction of the District, plan to do business or own real property within the jurisdiction of the District within the next year or have done business or owned real property within the jurisdiction of the District within the past two years.

Category 2: All interest in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in, and sources of income from, business entities subject to the regulatory, permit or licensing authority of the Designated Employee's Department, will be subject to such authority within the next year or have been subject to such authority within the past two years.

Category 4: All investments in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, plan to engage in such activities within the jurisdiction of the District within the next year or have engaged in such activities within the jurisdiction of the District within the past two years.

Category 5: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan or other financial institutions.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery or equipment of a type purchased, leased, used, or administered by the Designated Employee's Department or by the District.

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Administrative Assistant	6
Administrative Services Manager	6
Construction Supervisor	6
Customer Service Manager	1, 2, 5, 6
Customer Service Supervisor	6
Director of Engineering	1, 2, 3, 4, 5, 6
Director of Water Resources	2, 6
Engineering Department Manager	2, 4, 6
Engineering Inspector	2, 3, 4, 6
Engineering Project Manager	6
Facilities Supervisor	6
Field Services Manager	2, 4, 6
Financial Analyst	1, 2
General Counsel, Special Counsel, Attorney	1, 2, 3, 4, 5, 6
Human Resources Manager	6
Information Systems Supervisor	5, 6
Inventory Control Clerk	6
Operations Manager	6
Purchasing Agent	6
Safety/Risk Manager	6
Senior Equipment Mechanic	6
System Controls Supervisor	6
Water Distribution Supervisor	6
Water Resources Manager	2, 6
Water Resources Supervisor	6
Consultants*	
Appraisers	1, 2, 4, 6
Auditors and Actuaries	1, 2, 3, 4, 5, 6
Engineering Consultants	1, 2, 6
Environmental Consultants	1, 2, 4, 6
Public Relations Consultants	1, 2, 6
Information Systems Consultants	1, 2, 5, 6

* Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the disclosure categories listed. If not listed, consultants shall disclose pursuant to the broadest disclosure category in this code, subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.



CONFLICT OF INTEREST CODE
(AMENDED AUGUST 4, 2010 _____, 2012)

Vista Irrigation District
1391 Engineer Street
Vista, California 92081
(760) 597-3100

**CONFLICT OF INTEREST CODE
OF THE
VISTA IRRIGATION DISTRICT
COUNTY OF SAN DIEGO
(Amended August 4, 2010 _____, 2012)**

The agency designated above hereby submits the following Conflict of Interest Code to the Board of Supervisors of the County of San Diego.

Dated: August 4, 2010 _____, 2012

Lisa R. Soto, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT

Received on behalf of the Board of Supervisors of the County of San Diego.

Dated: _____

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

The following Conflict of Interest Code, having been submitted by the agency designated above, was approved by order of the Code Reviewing Body on _____.

Other action, if any:

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

**CONFLICT OF INTEREST CODE
OF THE
VISTA IRRIGATION DISTRICT
(Amended August 4, 2010 _____, 2012)**

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Adopted by the Board of Directors of the Vista Irrigation District on the 4th ____ day of
August 2010 _____, 2012.

Lisa R. Soto, Secretary
Board of Directors
VISTA IRRIGATION DISTRICT

**CONFLICT OF INTEREST CODE
OF
VISTA IRRIGATION DISTRICT
(Amended August 4, 2010_____, 2012)**

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The persons holding positions listed below are "designated employees" who are subject to the provisions of this Code. Each such designated employee is required to disclose interests only in those categories set forth, which are identified by the numbers following his or her title.

Disclosure Categories

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property that the designated employee must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in, and sources of income from, all business entities that do business or own real property within the jurisdiction of the District, plan to do business or own real property within the jurisdiction of the District within the next year or have done business or owned real property within the jurisdiction of the District within the past two years.

Category 2: All interest in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

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Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery or equipment of a type purchased, leased, used, or administered by the Designated Employee's Department or by the District.

<u>Designated Positions</u>	<u>Disclosure Categories</u>
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Director of Engineering	1, 2, 3, 4, 5, 6
Director of Water Resources	2, 6
Engineering Department Manager	2, 4, 6
Engineering Inspector	2, 3, 4, 6
Engineering Project Manager	6
Facilities Supervisor	6
Field Services Manager	2, 4, 6
Financial Analyst	1, 2
Facilities Manager	2, 6
General Counsel, Special Counsel, Attorney	1, 2, 3, 4, 5, 6
Human Resources Manager	6
Information Systems Manager	5, 6
Information Systems Supervisor	5, 6
Inventory Control Clerk	6
Operations Manager	6
Operations Supervisor	6
Purchasing Agent	6
Safety/Risk Manager	6
Senior Equipment Mechanic	6
System Controls Supervisor	6
Water Distribution Supervisor	6
Water Resources Manager	2, 6
Water Resources Supervisor	6
Consultants*	
Appraisers	1, 2, 4, 6
Auditors and Actuaries	1, 2, 3, 4, 5, 6
Engineering Consultants	1, 2, 6
Environmental Consultants	1, 2, 4, 6
Public Relations Consultants	1, 2, 6
Information Systems Consultants	1, 2, 5, 6

* Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the disclosure categories listed. If not listed, consultants shall disclose pursuant to the broadest disclosure category in this code. ~~disclosure categories listed above~~ subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.